

## **REMARKS**

In the Office Action dated March 24, 2003, claims 1-4 and 6 were rejected under 35 U.S.C. §102(e) as being anticipated by Cook et al. Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Cook et al. in view of Tatsuoka.

These rejections are respectfully traversed for the following reasons.

An important feature of the apparatus of independent claim 1 and the method of independent claim 6 is that a customized training unit is generated by combining or linking a number of stored training modules. In claim 1, it is explicitly stated that the training modules have dependencies on each other, which are also stored in the data bank, and these dependencies are taken into account in the selection device for generating the training unit by combining a number of the training modules. In independent claim 6, as amended, step (d) explicitly states that the training unit is customized from multiple training modules identified in steps (b) and (c), and each of those steps refers to the term "modules" in the plural.

Therefore, in the apparatus and method of the invention, it is not simply a matter of storing a number of training modules and then selecting one of those modules as being most appropriate for a particular trainee, but instead more than one of the stored training modules are combined or linked to form a training unit that is customized for the particular trainee.

The Cook et al. reference does teach creating a customized training program configuration for a particular trainee or student, however, it is not composed of a number of previously stored training modules. The type of presentation or configuration which is compiled in the Cook et al. reference is itself a training module comparable to the type of training module which can be stored in the data bank in

the apparatus and method of the present invention. In the Cook et al. reference, the creation of such a training module is the end result. In the apparatus and method of the invention, a plurality of such training modules are predetermined and stored, and a training unit is then generated by combining or linking appropriate ones among the stored training modules, so that the training unit is customized according to the needs of the trainee.

The individual components which are used to compile the training module or training program in accordance with the teachings of Cook et al., in the passages cited by the Examiner in the Office Action, are not individually capable of providing any training at all. They are simply various types of audio and visual display objects. By themselves (i.e., individually) they are incapable of conveying training information, it is only when they are combined in the manner taught by Cook et al. that a training module or training program is created. Therefore, even if the individual components are stored in the Cook et al., this is not comparable to storing multiple *training modules*; it is merely a teaching to store components that can be combined to form a single training module or program.

As noted above, the Cook et al. reference proceeds based on a completely different manner of thinking from that disclosed and claimed in the present application. The Cook et al. reference treats the training program or training module produced in the manner discussed above as being an end result. Even if it is modified according to future interaction with the trainee, it is not modified by combining or linking it with other training modules; it is merely modified by adding, subtracting or adjusting one or more of the individual components thereof, which are not themselves training modules.

By contrast, the present Applicants have recognized that if multiple training modules of the type described in the Cook et al. reference are created for a number of different students or trainees, it is beneficial to store all of these individual training modules (or training modules created in some other manner), and to identify dependencies of these modules on each other and to store the dependencies as well. When it is desired to create a new training unit, all of these previously created training modules are then available for combining with each other, according to the aforementioned dependencies.

Therefore, the Cook et al. reference does not disclose all of the elements of independent claims 1 or 6 as arranged and operating in those claims, and therefore does not anticipate either of those independent claims, nor any of claims 2-4 depending from claim 1.

Although an obviousness rejection based on the Cook et al. reference by itself was not made with regard to independent claims 1 and 6, as noted above, the Cook et al. reference represents a completely different point of view with regard to the generation of training programs compared to that of the subject matter of claims 1 and 6, and therefore a person of ordinary skill in the art would not be taught, induced or motivated to provide an apparatus or a method as set forth in claims 1 and 6, based on the teachings of Cook et al.

With regard to claim 5, the Examiner acknowledged that the Cook et al. reference does not specifically disclose a data bank containing a plurality of medical education training modules. The Examiner stated that the Tatsuoka reference teaches that an important aspect of building a combination of modules for training is the diagnosis of training participants with respect to their need for treatment of

medical conditions. Applicants acknowledge that the Tatsuoka reference teaches undertaking a continually updated diagnosis of participants in training programs for treating medical conditions, however, Applicants do not find any teaching in the Tatsuoka reference to generate a training program or a training unit from multiple training modules, and therefore Applicants do not agree that the Tatsuoka reference teaches this feature as being "an important aspect of building a combination of modules for training" as characterized by the Examiner. Given the absence of a teaching in the Cook et al. reference, for the reasons discussed above, to combine or link multiple training modules to produce a training unit, even if the Cook et al. system were modified in accordance with teachings of Tatsuoka, an apparatus as set forth in claim 5, which embodies the subject matter of claim 1 therein, still would not result. Claim 5, therefore, would not have been obvious to a person of ordinary skill in the art under the provisions of 35 U.S.C. §103(a) based on the teachings of Cook et al. and Tatsuoka.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,



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